

APR 03 2006

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& PRESSER****Fax**

To: Examiner: Steven Ho Yin Loke
Group Art Unit: 2811
Confirmation No.: 6830

From: John S. Sensny, Esq.

Fax: 571-273-8300 **Pages:** 18 (Including fax cover sheet)

Phone: **Date:** April 3, 2006

Re: Applicants: David V. Horak, et al.
Serial No.: 10/752,386 **CC**
Filed: January 6, 2004
For: FORMATION OF A FAT DISPOSABLE
SPACER TO "POST DOPE" POLYSI GATE
CONDUCTOR
Docket: FIS920030114US1 (16509)

**AMENDMENT UNDER 37 C.F.R. §1.116
(Final Rejection)**

TRANSMITTED HEREWITH:

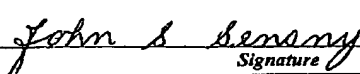
1. Amendment Transmittal Letter in duplicate;
2. Amendment under 37 C.F.R. §1.116; and
3. Certificate of Facsimile Transmission, dated April 3, 2006 (in duplicate).

FOR:

Applicants: David Horak, et al.
Serial No.: 10/752,386
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For: FORMATION OF A FAT DISPOSABLE SPACER TO "POST DOPE" POLYSI GATE
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AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. FIS920030114US1 (16509)	
Applicant(s): David V. Horak, et al.					
Application No. 10/752,386	Filing Date January 6, 2004	Examiner Steven Ho Yin Loke	Customer No. 23389	Group Art Unit 2811	Confirmation No. 6830
Invention: FORMATION OF A FAT DISPOSABLE SPACER TO "POST DOPE" POLYSI GATE CONDUCTOR					
COMMISSIONER FOR PATENTS:					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	18 -	20 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	4 -	4 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0458/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 John S. Sensny Registration No. 28,757 Scully, Scott, Murphy & Presser, P.C. 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343			Dated: April 3, 2006		
cc: JSS:jy			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence _____		

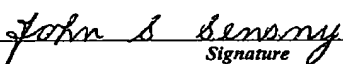
P11LARGE/REV09

APR 03 2006

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): David V. Horak, et al.			Docket No. FIS920030114US1 (16509)	
Application No. 10/752,386	Filing Date January 6, 2004	Examiner Steven Ho Yin Loke	Group Art Unit 2811	
Invention: FORMATION OF FAT DISPOSABLE SPACER TO POST DOPE POLYSI GATE CONDCUTOR				
CONFIRMATION NO.: 6830				
<p>I hereby certify that this <u>AMENDMENT UNDER 37 C.F.R. 1.116</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(571) 273-8300</u>) on <u>April 3, 2006</u> (Date)</p> <p style="text-align: right;"><u>John S. Sensny</u> (Typed or Printed Name of Person Signing Certificate) <u>John S Sensny</u> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>				

P18/REV02

APR 03 2006

AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. FIS920030114US1 (16509)									
Applicant(s): David V. Horak, et al.													
Application No. 10/752,386	Filing Date January 6, 2004	Examiner Steven Ho Yin Loke	Customer No. 23389	Group Art Unit 2811	Confirmation No. 6830								
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COMMISSIONER FOR PATENTS:													
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.													
CLAIMS AS AMENDED													
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE								
TOTAL CLAIMS	18 -	20 =	0	x \$50.00	\$0.00								
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Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00								
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00								
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0458/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.													
 John S. Sensny Registration No. 28,757 Scully, Scott, Murphy & Presser, P.C. 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343			Dated: April 3, 2006 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</td> </tr> <tr> <td style="width: 50%; text-align: center;">(Date)</td> <td style="width: 50%;"></td> </tr> <tr> <td colspan="2" style="text-align: center;">Signature of Person Mailing Correspondence</td> </tr> <tr> <td colspan="2" style="text-align: center;">Typed or Printed Name of Person Mailing Correspondence</td> </tr> </table>			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____		(Date)		Signature of Person Mailing Correspondence		Typed or Printed Name of Person Mailing Correspondence	
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(Date)													
Signature of Person Mailing Correspondence													
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cc: JSS:jy													

P11LARGE/REV09

Response Under 37 C.F.R. §1.116
Expedited Procedure
Examining Group 2811

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David V. Horak, et al. **Examiner:** Steven Ho Yin Loke
Serial No.: 10/752,386 **Group Art Unit:** 2811
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Commissioner for Patents
P.O. Box 1450
Washington, D.C. 20231

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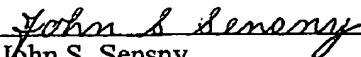
Sir:

In response to the Office Action dated February 3, 2006, please amend the subject patent application as follows.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: April 3, 2006


John S. Sensny

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